

BK 0394 PG 0573

STATE MS.-DESOTO CO.
FILED

SUBSTITUTE TRUSTEE'S DEED

JUN 25 11 30 AM '01

STATE OF MISSISSIPPI
COUNTY OF DESOTO

BK 394 PG 573
W.F. TOLSON CLK.

WHEREAS, on the 3rd day of September, 1998, Walter Coleman Spicer and Rachel A. Spicer, husband and wife, executed and delivered a certain Deed of Trust unto Transcontinental Title Co., Trustee for Mortgage Corporation of America, Beneficiary, to secure an indebtedness therein described, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County, Mississippi in Book 1036 at Page 726; and

WHEREAS, on the 24th day of August, 1999, Mortgage Corporation of America, assigned said Deed of Trust unto Bankers Trust Company of California, N. A., as custodian or trustee, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1310 at Page 287 and re-recorded in Book 1317 at Page 795; and

WHEREAS on the 28th day of February, 2001, the holder of said Deed of Trust substituted and appointed John C. Morris, III, as Trustee in said Deed of Trust, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1310 at Page 290 and re-recorded in Book 1317 at Page 798; and

WHEREAS, default having been made in the payments of the indebtedness secured by the said Deed of Trust, and the holder of said Deed of Trust, having requested the sale for the purpose of paying said indebtedness or as much thereof as said brings; and

WHEREAS, I, John C. Morris, III, Substitute Trustee, advertised the sale of the following described real property by Substituted Trustee's Notice of Sale, dated the 14th day of May, 2001, by posting same at the bulletin board near the Main front door of the DeSoto County Courthouse and by publishing said Notice in the DeSoto Times Today for four (4) consecutive weeks, proof of publication being attached hereto as Exhibit "A" and incorporated herein by reference, which notice stated that the sale would be held on the 15th day of June, 2001, between the legal hours of 11 o'clock a.m. and 4 o'clock p.m., at public outcry, to the highest bidder for cash at the Main front door of the DeSoto County Courthouse at Hernando, Mississippi; and

WHEREAS, I, John C. Morris, III, Substitute Trustee, did on the 15th day of June, 2001, within legal hours, offer for sale and did sell, to the highest bidder for cash at the Main front door of the DeSoto County Courthouse at Hernando, Mississippi the following described real property, to-wit:

LOT 802, SECTION D, GREENBROOK SUBDIVISION, IN SECTION 19, TOWNSHIP 1 SOUTH, RANGE 7 WEST, CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 9, PAGES 42 AND 43, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGIN AT A POINT IN THE SOUTHERLY LINE OF MILLCREEK PLACE 173.65 FEET NORTHEASTWARDLY FROM THE TANGENT INTERSECTION OF THE SOUTHERLY LINE OF MILLCREEK PLACE WITH THE EASTERLY LINE OF BRIDGEWOOD DRIVE, SAID POINT BEING THE NORTHEAST CORNER OF LOT 801; THENCE NORTHEASTWARDLY 7.0 FEET ALONG A CURVE TO THE RIGHT HAVING AN INTERNAL RADIUS OF 100 FEET TO A POINT OF REVERSE CURVATURE IN THE SOUTHERLY CUL-DE-SAC LINE OF MILLCREEK PLACE; THENCE CONTINUE NORTHEASTWARDLY 43 FEET ALONG A CURVE TO THE LEFT HAVING AN EXTERNAL RADIUS OF 50 FEET WITH THE SOUTHERLY CUL-DE-SAC LINE OF MILLCREEK PLACE TO A POINT AT THE SOUTHWEST CORNER OF LOT NO. 803; THENCE SOUTHEASTWARDLY 160.77 FEET ALONG THE SOUTHERLY LINE OF LOT NO. 803 TO AN IRON STAKE (FOUND) IN THE WESTERLY LINE OF SWINNEA ROAD; THENCE SOUTHWARDLY 48.20 FEET WITH THE WESTERLY LINE OF SAID ROAD TO AN IRON STAKE (SET) AT THE NORTHEAST CORNER OF LOT NO. 798; THENCE SOUTHWESTWARDLY 61.82 FEET ALONG THE NORTHERLY LINE OF LOT NO. 798 TO AN IRON STAKE (SET) AT THE SOUTHEAST CORNER OF LOT NO. 801; THENCE NORTHWESTWARDLY 191.03 FEET ALONG THE EASTERLY LINE OF LOT NO. 801 TO THE POINT OF BEGINNING, AS SHOWN ON PLAT OF SURVEY MADE BY BEN W. SMITH, DATED JULY 12, 1990.

WHEREAS, at said sale Bankers Trust Company of California, N. A., as custodian or trustee by its Attorney-In-Fact Advanta Mortgage was the highest and best bidder, therefor, for the sum of \$65,438.61 and the same was then and there struck off to Bankers Trust Company of California, N. A., as custodian or trustee by its Attorney-In-Fact Advanta Mortgage and it was declared the purchaser thereof; and

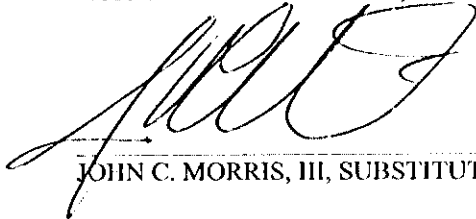
WHEREAS, everything necessary to be done to have a good and lawful sale was done in accordance with law and the terms of the Deed of Trust; and

NOW, THEREFORE, I, John C. Morris, III, Substitute Trustee, for the consideration of \$65,438.61 do hereby convey the above described property to Bankers Trust Company of California, N. A., as custodian or trustee by its Attorney-In-Fact Advanta Mortgage.

I convey only such title as is vested in me as Substitute Trustee.

Walter Spicer
#11794542

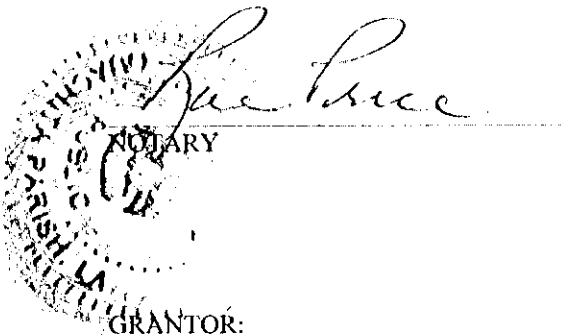
WITNESS MY SIGNATURE, this the 13th day of June, 2001.


JOHN C. MORRIS, III, SUBSTITUTE TRUSTEE

STATE OF LOUISIANA

PARISH OF OUACHITA

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, on this, the 13th day of June, 2001, the within named JOHN C. MORRIS, III, Substitute Trustee, who acknowledged that he executed the above and foregoing instrument of writing, after first having been duly authorized so to do as Substitute Trustee.


NOTARY

AT DEATH
MY COMMISSION EXPIRES

ADDRESSES:

GRANTOR:

1820 AVENUE OF AMERICA
MONROE, LA 71201

318-330-9020 / *na*

GRANTEE:

ADVANTA MORTGAGE
10790 RANCHO BERNARDO RD
SAN DIEGO CA 92127
215-323-3310 / *na*

MY DOCUMENT WAS PREPARED BY:

JOHN C. MORRIS, III
1820 AVENUE OF AMERICA
MONROE, LA 71201
318-330-9020



DeSoto Times Today
DeSoto County's Daily Newspaper
Est. 1839

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Cyndi Pittman personally appeared before me the undersigned in and for said County and State and states on oath that she is the CLERK of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

STATE OF MISSISSIPPI
COUNTY OF DESOTO

WHEREAS, on the 3rd day of September, 1998, Walter Coleman Spicer and Rachel A. Spicer, husband and wife, executed and delivered a certain Deed of Trust unto Transcontinental Title Co., Trustee for Mortgage Corporation of America, Beneficiary, to secure an indebtedness therein described, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County, Mississippi in Book 1036 at Page 726; and

WHEREAS, on the 24th day of August, 1999, Mortgage Corporation of America, assigned said Deed of Trust unto Bankers Trust Company of California, N.A., as custodian or trustee, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1310 at Page 287 and re-recorded in Book 1317 at Page 795; and

WHEREAS, on the 28th day of February, 2001, the holder of said Deed of Trust substituted and appointed John C. Morris, III, as Trustee in said Deed of Trust, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1310 at Page 290 and re-recorded in Book 1317 at Page 798; and

WHEREAS, default having been made in the payments of the indebtedness secured by the said Deed of Trust and the holder of said Deed of Trust, having requested the undersigned to do, on the 15th day of June, 2001, I will, during legal hours, at public outcry, offer for sale and will sell, at the Main front door of the DeSoto County Courthouse at Hernando, Mississippi, for cash to the highest bidder, the following described land and property situated in DeSoto County, Mississippi, to-wit:

LOT 802, SECTION D, GREENBROOK SUBDIVISION, IN SECTION 19, TOWNSHIP 1 SOUTH, RANGE 7 WEST, CITY OF SOUTHAVEN, DESOTO COUNTY, MISSISSIPPI, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 9, PAGES 42 AND 43. IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGIN AT A POINT IN THE SOUTHERLY LINE OF MILLCREEK PLACE, 173.65 FEET NORTHEASTWARDLY FROM THE TANGENT INTERSECTION OF THE SOUTHERLY LINE OF MILLCREEK PLACE WITH THE EASTERLY LINE OF BRIDGEWOOD DRIVE, SAID POINT BEING THE NORTHEAST CORNER OF LOT 801; THENCE NORTHEASTWARDLY 7.0 FEET ALONG A CURVE TO THE RIGHT HAVING AN INTERNAL RADIUS OF 100 FEET TO A POINT OF

REVERSE CURVATURE IN THE SOUTHERLY CUL-DE-SAC LINE OF MILLCREEK PLACE; THENCE CONTINUE NORTHEASTWARDLY 43 FEET ALONG A CURVE TO THE LEFT HAVING AN EXTERNAL RADIUS OF 50 FEET WITH THE SOUTHERLY CUL-DE-SAC LINE OF MILLCREEK PLACE TO A POINT AT THE SOUTHWEST CORNER OF LOT NO. 803; THENCE SOUTHEASTWARDLY 160.77 FEET ALONG THE SOUTHERLY LINE OF LOT NO. 803 TO AN IRON STAKE (FOUND) IN THE WESTERLY LINE OF SWINNEA ROAD; THENCE SOUTHWARDLY 48.20 FEET WITH THE WESTERLY LINE OF SAID

Volume No. 106 on the 23 day of May, 2001

Volume No. 106 on the 30 day of May, 2001

Volume No. 106 on the 6 day of June, 2001

Volume No. 106 on the 13 day of June, 2001

Volume No. _____ on the _____ day of _____, 2001

Cyndi Pittman

Sworn to and subscribed before me, this 13 day of June, 2001

BY Judith H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: January 16, 2005
BONDED THRU Dixie Notary Service, INC.



A. Single first insertion of 584 words @ .12 \$ 70.08
B. 3 subsequent insertions of 1752 words @ .10 \$ 175.20
C. Making proof of publication and deposing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 248.28

ROAD TO AN IRON STAKE (SET) AT THE NORTHEAST CORNER OF LOT NO. 798; THENCE SOUTHWESTWARDLY 61.82 FEET ALONG THE NORTHERLY LINE OF LOT NO. 798 TO AN IRON STAKE (SET) AT THE SOUTHEAST CORNER OF LOT NO. 801; THENCE NORTHWESTWARDLY 191.03 FEET ALONG THE EASTERLY LINE OF LOT NO. 801 TO THE POINT OF BEGINNING, AS SHOWN ON PLAT OF SURVEY. MADE BY BEN W. SMITH, DATED JULY 12, 1990. I will only convey such title as is vested in me as Substitute Trustee. WITNESS MY SIGNATURE, this 14th day of May, 2001. JOHN C. MORRIS, III, SUBSTITUTE TRUSTEE 1820 AVE. OF AMERICA MONROE, LA 71201 318-330-9020 May 23, 30, Jun. 6, 13, 2001